

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
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IN RE THE COMPLAINT OF )  
DAVID SARGENT )  
V. )  
INDIANAPOLIS WATER COMPANY )  
AND AN APPEAL FROM A DECISION )  
BY THE IURC'S CONSUMER AFFAIRS )  
DIVISION. )

CAUSE NO. 42354

FILED

JAN 27 2003

INDIANA UTILITY  
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission has caused the following entry to be made:


A prehearing conference was convened on January 24, 2003, beginning at 10:00 a.m. in Room E-306 of the Commission's offices. Attending the hearing were Petitioner David Sargent, Respondent Indianapolis Water Company ("IWC"), and the Office of Utility Consumer Counselor ("OUCC"). A procedural schedule was determined in an off-the-record discussion, and later read into the record. A summary of that procedural schedule appears below:

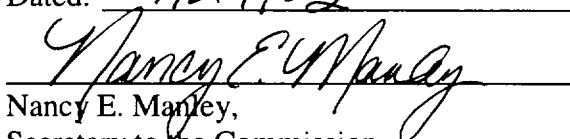
1. Petitioner David Sargent should prefile his case-in-chief on or before January 28, 2003 and should also submit at that time any legal arguments in support of his position. In addition, Petitioner should prefile a proposed list of stipulated facts, including an indication whether Mr. Sargent accepts as fact all of the facts set forth in the December 2, 2002 decision entered by the Commission's Consumer Affairs Division Director, Ja-Deen Johnson.
2. Respondent IWC should prefile its case-in-chief on or before February 28, 2003, and should include a brief on legal issues. Respondent should also file with the Commission its response to Petitioner's proposed list of stipulated facts.
3. On or before March 14, 2003, Petitioner should prefile any rebuttal testimony it may have to Respondent's evidence. Petitioner should also file a response to the legal arguments raised in Petitioner's brief.
4. On or before March 14, 2003, the OUCC should prefile its evidence for this Cause.
5. An evidentiary hearing should be convened on March 21, 2003 beginning at 10:00 a.m. in Room E306. At that time, the cases-in-chief of the parties should be presented as well as the prefled rebuttal testimony and any live rebuttal to oral testimony presented at the hearing.

6. All testimony prefiled with the Commission should include an original plus five (5) copies and should be filed in person at the Commission's offices. Petitioner is further directed to serve a copy of any prefiled testimony on IWC's counsel, Michael Terrell of Sommer Barnard Ackerson, PC at their new offices located at One Indiana Square, Suite 3500, Indianapolis. Respondent should serve a copy of its prefiled testimony on Petitioner at 1609 N. Exeter, Indianapolis, 46222.

7. With regard to discovery, it was agreed that Respondent should serve on Petitioner any discovery requests it has within ten (10) calendar days of the date Petitioner files its case-in-chief. Upon receiving a discovery request, Petitioner should provide its answers within seven (7) calendar days. If the need arises for either Petitioner or the OUCC to serve discovery requests on the Petitioner, it was agreed that a telephone conference would be convened to discuss appropriate changes in the procedural schedule.

**IT IS SO ORDERED.**

  
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Gregory S. Colton,  
Administrative Law Judge

Dated: 1/27/03  
  
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Nancy E. Manley,  
Secretary to the Commission